State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

TIME SCHEDULE ORDER NO. R4-2006-XXXX

REQUIRING THE
CITY OF FILLMORE
TO UNDERTAKE ACTIONS TO COMPLY WITH REQUIREMENTS PRESCRIBED IN ORDER NUMBER R4-2006-00XX
(Fillmore Wastewater Treatment Plant and
Fillmore Wastewater Recycling Plant)

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The California Regional Water Quality Control Board, Los Angeles Region (hereafter Regional Board), finds:

1. The City of Fillmore (hereinafter Discharger) owns a wastewater treatment plant commonly known as Fillmore Wastewater Treatment Plant (FWTP) located at "C" Street and River Street, in an incorporated area of Ventura County, California (Figure 1, Site Location Map). The FWTP is, and the new Fillmore wastewater recycling plant described herein will be, operated and maintained by an Operating Company under a contract with the City of Fillmore. The FWTP was originally constructed in 1956, and serves the community of the City of Fillmore, which has a population of approximately 15,000.

2. Municipal, domestic and commercial wastewater (including fruit washing) produced from the community of City of Fillmore is treated at the FWTP. The final treated wastewater effluent (effluent) is discharged to the ground through five percolation/evaporation ponds and/or to a subsurface percolation field regulated under Waste Discharge Requirements (WDRs) contained in Order No. 97-038, adopted by the Regional Board on April 7, 1997. When the ponds and subsurface percolation fields are unavailable to dispose of the effluent, the treated effluent is discharged into the Santa Clara River under separate requirements contained in National Pollutant Discharge Elimination System (NPDES) permit, (NPDES No. CA0059021) Order No. R4-2003-0136 adopted by the Regional Board on October 2, 2003.

3. On April 27, 2005, the Discharger filed a Revised Report of Waste Discharge (ROWD) and applied to the Regional Board for revision of its WDRs for disposal and reuse of treated wastewater from a new wastewater treatment plant [which will be known as Fillmore wastewater recycling plant (FWRP)] to be constructed by the Discharger. The Discharger plans to have constructed and in operation the new FWRP by September 2009. The new FWRP capacity is expected to meet the demand for treatment and disposal of municipal wastewater from the forecasted 2025 population of the City of Fillmore. WDRs have been revised to reflect the current and future wastewater treatment process and to include additional findings, effluent limitations, prohibitions, and an expanded monitoring and reporting program.

4. Municipal wastewater produced from the community of Fillmore has been collected and treated at the FWTP since 1956. The FWTP is a secondary wastewater treatment plant and currently has a design capacity of 1.3 million gallons per day (mgd) and a peak design flow of 2.2 mgd. Treatment at the FWTP consists of a bar screen, comminutor, grit chamber, primary clarifier, trickling filter, secondary clarifier and chlorination. The wastewater is treated prior to discharge to the five percolation/evaporation ponds (8.55 acres) in series and/or to a subsurface percolation and/or to the Santa Clara River. Waste sludge is treated through an onsite sludge digester, dewatered, and then moved to a concrete-lined sludge storage bed. Sludge is hauled offsite and disposed at a legal disposal facility on a periodic basis.

5. The Discharger owns and operates three municipal water supply wells (Wells 5, 7 and 8) that supply drinking water to the residences and businesses in and around the City of Fillmore (See Figure 4. City of Fillmore, Location of Water Reuse/Disposal Sites and Monitoring Wells). However, the groundwater has high hardness content. Many residents use self-regenerating water softeners to reduce the high hardness levels of the water produced from City wells. However, self-regenerating water softening systems using salts discharge the salty waste (brine) directly into the sewer system. The Discharger believes that eliminating the need for the home water softeners will reduce the concentration of the chloride entering the existing FWTP and future FWRP. Consequently, the Discharger has adopted Ordinance No. 04-777 (copy attached and incorporated herein by reference) which prohibits the prospective installation of self-regenerating water softeners discharging to the City sanitary sewer system or land within the City of Fillmore pursuant to Health and Safety Code section 116786. The Ordinance will not appreciably reduce existing levels of chloride; it will only eliminate additional discharges. To improve water quality and reduce discharges of self-regenerating water softener brines, the Discharger is analyzing alternatives to construct a centralized well water treatment system. A membrane technology is currently an alternative being considered. The Discharger proposes to discharge the hardness waste generated from the centralized well water treatment softening system by commingling it with the effluent from the FWRP. The commingled wastewater mixture will be discharged only if it meets Basin Plan Water Quality Objectives and complies with the requirements of this Order. The Discharger will select an appropriate softening technology that can be the most cost effective treatment technology system and that complies with the requirements of this Order. The following table displays water quality of the municipal well water and the existing FWTP effluent.

Constituents	Units	Well 5 [1]	Well 7 [1]	Well 8 [1]	FWTP Effluent [2]
Total Hardness (as CaCo3)	milligrams per liter (mg/L)	504	385	371	--
Boron	mg/L	0.7	0.9	0.9	1.1
Chloride	mg/L	33	36	33	132
Sulfate	mg/L	261	263	260	584
Fluoride	mg/L	0.6	0.9	0.6	--

Nitrate	mg/L	6.9	2.3	2.3	1.25
Nitrite	mg/L	NA [3]	NA [3]	NA [3]	1.6
Ammonia	mg/L	NA [3]	NA [3]	NA [3]	26.5
Total Dissolved Solids	mg/L	660	645	650	1,286

1. Based on analyses performed from 1999 through March 2004
2. Based on analyses from January 2004 to March 2004
3. NA: Not Available

6. With respect to compliance with NPDES No. CA0059021, the Discharger was issued a Notice of Violation (NOV) on May 4, 2001 for 54 violations of suspended solids, coliform, oil and grease, and chloride from April 1998 through December 2000. On July 23, 2001, the Discharger was issued a second NOV for additional effluent limit violations which occurred between December 2000 and May 2001. On October 3, 2004, the Discharger was issued a third NOV, which addressed effluent limit violations noted in prior NOVs, effluent limit violations which have occurred to date and reporting violations during the period October 2000 through October 2004. On June 3, 2004, the Regional Board Executive Officer (Executive Officer) issued Complaint No. R4-2004-0035 for the violations which occurred during the period November 2000 through July 2003. On September 1, 2005, the Regional Board assessed and adopted a mandatory minimum administrative civil liability penalty ($264,000) imposed on the Discharger for the violations.

7. The Regional Board has required the Discharger to make the necessary modifications to the FWTP to bring it into compliance with NPDES No. CA0059021 (Order No. R4-2003-0136). However, despite some modifications to the FWTP, the Discharger has not been able to achieve full compliance with the requirements contained in Order No. R4-2003-0136. According to the Discharger's request, the Regional Board issued Time Schedule Order (TSO) No. R4-2003-0137 containing the following interim effluent limits on October 2, 2003:

Constituent	Units [1]	Monthly Average	Weekly Average
BOD	mg/L	45	65
TSS	mg/L	45	65
Turbidity	NTU	32	-- [2]
Ammonia nitrogen	mg/L	19	--
Nitrite-Nitrogen	mg/L	1.3	--
Chloride	mg/L	187	--
Methylene blue active substances (MBAS)	mg/L	0.7	--
Bis(2-ethylhexyl)phthalate	µg/L	8.6	--

1. µg/L: micrograms per liter
2. -- : no weekly average limits

Currently, the City is operating the FWTP under the interim effluent limits prescribed in TSO No. R4-2003-0137.

8. The FWRP will be constructed at a new location approximately 2,400 feet downstream (west) of the existing FWTP along "E" Street, south of State Route (SR) 126 (See Figures. 2 and 4). The FWRP will be designed for an average dry weather flow of 2.4 mgd and the peak day hydraulic design capacity of 6.0 mgd. Treated wastewater will be discharged to the surface and subsurface drip reuse and disposal areas in the community and the reconstructed wastewater percolation ponds at the existing FWTP area.

9. The FWRP will provide nitrification, de-nitrification, and tertiary treatment for collected wastewater prior to discharge to the percolation ponds and the subsurface drip irrigation system. The FWRP will produce an effluent better than that produced by secondary treatment processes as required by the United States Environmental Protection Agency (USEPA) for publicly owned treatment works (POTWs) treating municipal wastewater. The Discharger indicated that the FWRP will be designed to produce the following anticipated effluent water quality (in the Draft Environmental Impact Report for the Fillmore Water Recycling Plant Volume 1, March 2005):

Constituent	Units*	Concentration
Biochemical Oxygen Demand (BOD_5)	mg/L	10 or less
Total suspended solids (TSS)	mg/L	10 or less
Turbidity	NTU	2 or less
Oil and grease	mg/L	10 or less
Settleable Solids	mg/L	0.1 or less
Total Chlorine Residual	mg/L	0.0
Nitrite Nitrogen	mg/L	1 or less
Nitrate and Nitrite – N	mg/L	5.0 or less
Total dissolved solids	mg/L	1,200
Sulfate	mg/L	10 or less **
Chloride	mg/L	155
Boron	mg/L	1.1
Fluoride	mg/L	1.5
Coliform	MPN/100 mL	1.1

* mg/L: milligrams per liter NTU: nephelometric turbidity Unit MPN/mL: most probable number per milliliter

** This number is unachievable.

However, the anticipated effluent characteristics indicate that chloride and boron levels in treated effluent would exceed the water quality objective of 100 mg/L and 1 mg/L, respectively.

10. In spite of the construction of the new FWRP, the Discharger may not able to achieve full compliance with the water quality objective of chloride and boron. Los Angeles Regional Water Quality Control Board (The Regional Board) is considering a regional solution for the area of Fillmore, Santa Paula, and Piru. The reconsideration and action taken is tentatively scheduled for reopener by September 2008. Therefore, interim

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effluent limits have been established for the FWTP and FWRP for these conventional pollutants. This TSO prescribes interim limits for chloride and boron only.

11. California Water Code (CWC) section 13300 states:

"Whenever a regional board finds that a discharge of waste is taking place or threatening to take place that violates or will violate requirements prescribed by the regional board, or the state board, or that the waste collection, treatment, or disposal facilities of a discharger are approaching capacity, the board may require the discharger to submit for approval of the board, with such modifications as it may deem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements."

12. The action taken by the Regional Board pertaining to the time schedule does not preclude the possibility of actions to enforce the waste discharge requirements and permit by third parties pursuant to section 505 of the Federal Clean Water Act.

13. The Regional Board has notified the Discharger, interested agencies and persons, of its intent to issue a Time Schedule Order concerning violations or threatened violations of waste discharge requirements.

14. The Board, at a public hearing, heard and considered all testimony pertinent to this matter. All Orders referred to above and records of hearings and testimony therein are included herein by reference.

15. This enforcement action by a regulatory agency is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) in accordance with title 14, California Code of Regulations, chapter 3, section 15321.

16. Pursuant to CWC section 13320, any aggrieved party may seek review of this Order by filing a petition with the State Board. A petition must be sent to the State Water Resources Control Board, P.O. Box 100, Sacramento, California, 95812, within 30 days of adoption of this Order.

IT IS HEREBY ORDERED that, pursuant to the CWC section 13300, the Discharger, the City of Fillmore, as owner of the Fillmore Wastewater Treatment Plant and future Fillmore wastewater reclamation plant, shall immediately comply with the following interim effluent limits and requirements:

1. Interim Effluent Limit:

Constituent	Units	12-Monthly Rolling Average
Chloride	mg/L	187[1]
Boron	mg/L	1.5[2]

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[1] The chloride interim limit is the same limit set in Time Schedule Order No. R4-2003-0137.
[2] The boron interim limit is the same limit set in NPDES Permit No. CA0059021, Board Order No R4-2003-0136.

2. The Discharger shall comply with the interim effluent limits until the Regional Board sets the limits for chloride and boron for the area of Fillmore, Santa Paula, and Piru.

3. By September 10, 2008, the Regional Board may reopen this TSO for reconsideration of and possible action to be taken regarding the above interim limits of chloride and boron.

4. If the Discharger fails to comply with any provisions of this Order, the Executive Officer may issue an Administrative Civil Liability Complaint pursuant to CWC section 13323. The Regional Board may also refer the case to the Attorney General for injunctive and civil monetary remedies.

All other limitations, provisions and requirements of Order No. R4-2006-0XXX not in conflict with this Order are in full force and effect.

I, Jonathan S. Bishop, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on May 11, 2006.

Jonathan S. Bishop
Executive Officer

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